

CEDA Regional Planning Commission
Regular Meeting – 2 p.m.
Thursday, January 5, 2006

Administration Building
of the former Springview Center
3130 East Main Street
Springfield, OH 45505

AGENDA

- | | | |
|--|---|------------------------------------|
| 1. Minutes – December 8, 2005 (Regular) | | <i>Discussion &
Action</i> |
| 2. Rezoning Case
05-Z-19 | Dearth Resources, Inc.
City of Springfield ~ 204.76 acres
East National Rd. at Titus Rd.
A to RDP | <i>Discussion &
Action</i> |
| 3. Rezoning Case
S-2006-1 | Norman Hirst
Springfield Township ~ 3.93 acres
NE corner of Bird Rd. and Eichelberger Ln.
A to R-1 (Single Family Residential District) | <i>Discussion &
Action</i> |
| 4. 06-ZA-1 | Zoning Amendments
City of Springfield | <i>Discussion &
Action</i> |
| 5. Staff Comments | | <i>Discussion</i> |
| 6. Adjournment | | <i>Action</i> |

Minutes

Central CEDA Regional Planning Commission

Regular Meeting ~ 2 p.m.
Thursday, December 8, 2005

County Offices/Municipal Courts Building
Public Chambers
5th Floor, 50 East Columbia Street
Springfield, Ohio

Mr. Max Cordle, Chairperson of the Central CEDA Regional Planning Commission of Clark County Ohio, called the meeting to order at 2:00 p.m.

Present: Mr. Max Cordle, Mr. Gene Barnett, Mr. Dan Kelly, Mr. Alan Peczkowski, Ms. Sally Riley, and Mr. Michael Spradlin.

Absent: Mrs. Kim Marshall.

RPC: 12-23-05: Minutes ~ September 8, 2005 (Regular Meeting)

Motion by Ms. Riley and seconded by Mr. Peczkowski to approve the minutes as presented.

VOTE: Motion carried unanimously.

05-Z-1 ~ Rezoning Case ~ M and H Fabricating Company ~ City of Springfield ~ 3.73 acres ~ 2820 Dwight Rd. ~ I-1 to RM-12

Heather Whitmore, City of Springfield, presented the staff report. Ms. Whitmore highlighted information contained in the staff report and on the maps. The purpose of the request is to construct apartments of the same type as those situated on the approximately 7.261 acre tract adjacent and west of the property to be rezoned. The site currently has a small light industrial building on it. The existing use is industrial. It is zoned township I-1. The land use on the site, according to the Crossroads Comprehensive Plan, is low density residential. Existing uses around the site match well with what is being requested. The multi-family product that is described is a suitable use for the site. It provides for a nice step-down buffering. Staff recommends approval.

Mr. Barnett expressed a concern regarding the railroad tracks. He asked about potential problems with spills or the derailling of a train.

Ms. Whitmore explained that there is also a flood plain running along the northern portion of this lot. She does not think that there will be much development on the northern portion of the lot; it will be used for retention. If there were an incident, the structures would be out of harms way. Noise is the only thing that she would be concerned about.

Ms. Whitmore stated that tenants are not notified of a proposed rezoning, the landowners are. She continued that a Notice of Public Hearing is placed in the newspaper.

Minutes

Central CEDA Regional Planning Commission

RPC: 12-24-05 05-Z-1 ~ Rezoning Case ~ M and H Fabricating Company ~ City of Springfield ~ 3.73 acres ~ 2820 Dwight Rd. ~ I-1 to RM-12

Motion by Mr. Peczkowski, seconded by Mr. Spradlin to recommend Approval to the Springfield City Commission for the request of M and H Fabricating Company to rezone 3.73 acres from I-1 to RM-12.

VOTE: Motion carried unanimously.

SB-2005-12 ~ Subdivision ~ Aberfelda Hills (Replat of Lots 21 and 22) ~ Final ~ Springfield Township ~ 2.025 acres ~ 2 lots ~ Sheila Hageman Estate

Mr. Philip Tritle from County Planning Staff presented the staff report. Mr. Tritle highlighted information contained in the staff report and on the maps. The original Aberfelda Subdivision was platted in 1946. This case involves two lots in the original plat. There is one stub street adjacent to the two parcels in question. Some land to the rear and off the end of the unnamed street also has the potential for development. The new lots will be identified as lots 109 and 110 (after the reconfiguration). These two lots will be required to meet the 50 ft. setbacks on all sides. Hageman Lane (as it is now identified) will be improved and will be built to public street standards.

- The County Engineer has no objections to the replat.
- Soil Conservation noted that an NPDES permit and a Notice of Intent application to the Ohio EPA will be required prior to construction. The owner/developer will also have to comply with the Stormwater and Sediment Control Regulations.
- The County Health District resolution R 170-05 approved preliminary and final approval for Aberfelda Hills Subdivision re-plat of these two lots.
- The Springfield Township Zoning Inspector noted that he has reviewed the information and finds everything to be agreement with discussions held prior to the filing of this re-plat. It was noted that this is zoned A (Agriculture). The uses that are already there will be grandfathered in. Any new structures must be in accordance with the 50 ft. setback.

The Staff recommends approval of the replat of Aberfelda Hills Subdivision Lots 21 and 22 in Lots 109 and 110.

RPC: 12-25-05 SB-2005-12 ~ Subdivision ~ Aberfelda Hills (Replat of Lots 21 and 22) ~ Final ~ Springfield Township ~ 2.025 acres ~ 2 lots ~ Sheila Hageman Estate

Motion by Mr. Barnett, seconded by Mr. Peczkowski to grant Approval for the request of the Sheila Hageman Estate to replat lots 21 and 22, Aberfelda Hills Subdivision in Springfield Township.

VOTE: Motion carried unanimously.

Staff Comments:

Shane Farnsworth distributed fliers provided by the Neighborhood Housing Partnership.

Minutes

Central CEDA Regional Planning Commission

Adjournment

RPC: 12-26-05: Adjournment

Motion Mr. Barnett, seconded by Mr. Peczkowski to adjourn the meeting.

VOTE: Motion carried unanimously.

The meeting was adjourned at 2:18 p.m.

Mr. Max Cordle, Chairperson

Mr. Shane Farnsworth, Secretary

NOTE FOR MINUTE BOOK: See additional information included following the minutes.

STAFF REPORT

TO: Central CEDA Planning Commission DATE: December 19, 2005

PREPARED BY: Heather Whitmore

SUBJECT: Rezoning case #05-Z-19
Nextedge Technology Park Rezoning

GENERAL INFORMATION:

Applicant: Raymond Hagerman, 4 West Main St., Suite 821,
Springfield, Ohio 45502.

Owner: Nextedge, Charles Rinehart, 4 West Main St., Suite 821,
Springfield, Ohio 45502.

Requested Action: Rezoning from Springfield Township Agricultural (A-1)
District to Research and Development Park (RDP) District.

Purpose: To construct Nextedge technology and research park

Location: Southwest of the corner of State Route 40 and Titus Road.

Size: 204.76 acres.

Existing Land Use and Zoning: Vacant land zoned; Twp. A-1.

Surrounding Land Use and Zoning: North: Retail Stores, Unincorporated County
Single-family dwellings, Unincorporated County
East: Vacant land, Unincorporated County
Single-family dwellings, Unincorporated County
South: Dole Foods, Lexus Nexus, other industrial
offices, Zoned M-1
West: Vacant land, Unincorporated County

Applicable Regulations: Title Two: Chapter 1123: Research and Development Park
District
Title Nine: Chapter 1174: Zoning Amendments

File Date: December 5, 2005

BACKGROUND:

The applicant seeks to rezone the subject parcel from Springfield Township A-1 to City of Springfield RDP in order to construct the Nextedge research and development park. The Nextedge Park will provide a technology park subdivision for the location of data processing

companies, data storage, computer operation companies, research organization, laboratories, and other office uses. The purpose of this district is to provide areas for the location of office and research facilities in conjunction with production and/or assembly of prototype products. The City Commission shall approve any development of land in this district after recommendation of the Planning Board. RDP is a planned development zoning, therefore all development in RDP zoned districts shall conform to a master plan that was presented and approved at the time of rezoning. The proposed amendment conforms to zoning setbacks and parking requirements.

ANALYSIS:

Project Description:

The conceptual master plan for the park shows existing topographic features of the land, including drainage ways, wooded areas and contours, general location of uses, general location of any public uses, traffic circulation patterns, methods of buffering the research park from adjacent uses, signage for entrance ways to the park, and anticipated accommodation for stormwater management. The final master plan, including all aforementioned site improvement detailed plans, will be permitted through the subdivision process following the approval of the subject rezoning.

The site will include approximately twenty (20) individual lots. The lots may be combined for larger users. The site entrance will be off of State Route 40 and is lined along the north side with an eleven (11) foot stone datum wall. Most lots are provided access off of a twenty-eight (48) foot central drive and an eight (8) foot pedestrian path. A typical roadway section includes a fifty (50) foot right-of-way, with an additional fifty (50) foot landscape easement on both sides. The drive is landscaped and lighted according to the development plan. A security fence is provided at the edge of each landscape easement opposite the right-of-way. A landscape easement is provided along the site perimeter. Each lot has a one hundred seventy (170) foot building setback from the right of way. Buildings are permitted a maximum fifty percent (50%) lot coverage ratio, but are anticipated to cover less than the maximum.

Land Use:

The Crossroads Comprehensive Plan for Clark County Communities shows this area as "mixed-industrial." This type of development should be easily serviced with central utilities and accessible by interstate, state highway, and or rail.

Existing Community Land Use:

The proposed zoning matches existing surrounding industrial development to the south. A landscape buffer screens residences along the eastern boundary.

STAFF RECOMMENDATION:

Approval of RDP rezoning and conceptual master development plan.

ATTACHMENTS:

1. Vicinity and zoning map
2. Petition with attachments
3. Nextedge Conceptual Master Development Plan: November 28, 2005



THE CITY OF SPRINGFIELD, OHIO

DEPARTMENT OF ENGINEERING & PLANNING
ENGINEERING DIVISION
(937) 324-7312
FAX: (937) 328-3496
VOICE/TTY (937) 324-7348

December 21, 2005

Phil Tritle
Development Planner
Clark County Planning
25 W. Pleasant St.
Springfield, Ohio 45506

RE: Rezoning Request for Nextedge Technology Park

Dear Mr. Tritle:

I have read the comments submitted to your office from Kenneth D Fenton, Deputy County Engineer, and Christine Pence, Urban Coordinator Clark Soil and Water District, concerning the above referenced rezoning of 200+ acres for the Nextedge Technology Park.

The comment in Mr. Fenton's letter concerning access to Titus Road by the 7.83-acre tract is incorrect. This lot does have direct access to the internal roadway system and is prevented from accessing Titus Road by a "no access easement" which runs across the frontage of this lot with Titus Road.

Both letters expressed concerns about the effect this development will have on drainage in off-site areas downstream from the site. This is not an issue which needs to be addressed at the time of rezoning. The developer has worked closely with the City of Springfield concerning drainage issues generated by this development. The developer has submitted a plan for the anticipated accommodation for stormwater management as required in the zoning regulations for this zone. The developer and the City of Springfield fully understand that the stormwater management guidelines, which are in force, must be adhered to and will be addressed as a part of the subdivision submittal. The runoff restrictions listed in those guidelines will be met and possibly exceeded as part of the construction of this site.

The Community Improvement Corporation is currently working on a contract to construct improvements to the downstream drainage ditches to help alleviate existing flooding issues; construction is scheduled for completion in 2006.

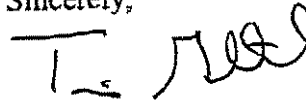
Downstream drainage concerns are not a reason to oppose a rezoning of land. These issues should be addressed by all parties which contribute to these problems and not be used as a method to oppose a rezoning of property.

76 E. HIGH STREET, SPRINGFIELD, OHIO 45502

Phil Tittle
Development Planner
December 21, 2005
Page #2

Please include this correspondence with your report to the CEDA Regional Planning Commission concerning this rezoning request.

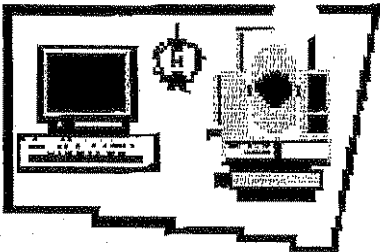
Sincerely,



Timothy A. Gothard
Director of Engineering & Planning

TAG/mb

pc: M. Kridler, City Manager
T. Franzen, Economic Development Administrator
H. Whitmore, Planning & Zoning Administrator



Clark County Engineer's Department

4075 Laybourne Rd Springfield, Ohio 45505-3613

Bruce C. Smith, P.E., P.S.

Clark County Engineer

Office # (937) 328-2484

Fax # (937) 328-2473

www.clarkcountyoohio.gov/engineer

December 15, 2005

CEDA Regional Planning Commission
25 West Pleasant Street
Springfield, Ohio 45506
Attention: Phil Tritle, Planner

Re: **Rezoning Request**
NextEdge Tech Park
200+ acres from A to PD

Mr. Tritle,

The County Engineer has reviewed the request to rezone approximately 200 acres of property located south of US 40, west of Titus Road and abutting the Prime Ohio Industrial Park. The request involves rezoning the property from the present agricultural use to a Planned Development concept. Since the property has been officially annexed to the City of Springfield, our comments are confined to issues, which may impact the unincorporated areas within Springfield Township.

First, there is some concern that existing drainage problems encountered in the Prime Ohio Industrial Park and outlying areas will be further compounded, unless corrective measures are taken. It is suggested to follow the recommendations provided by Burgess and Niple in their Stormwater Drainage Study, dated October 2004. In their report, B&N recommends numerous upgrades to structures under the railroad, State Route 41 as an example and significant channel improvements to the Furay Gray Lateral and immediate tributaries.

The report continues to identify the impact future development northwest of Prime Ohio will have on the present drainage system, including the possibility of rerouting the channel adjacent to the Park to its original location. With no specific plans on the table to address these issues, any development that is being proposed should also consider the adequacy of the receiving channel and impact on downstream properties.

Concerning access for the 7.83 acre tract, which abuts Titus Road, the conceptual street/lot layout does not provide direct access to a public street other than Titus Road. It is preferred that some provision is considered to restrict access from Titus Road and access the internal street system.

Donald Boyle – Road Superintendent
Paul W. DeButy P.E. – Design Engineer
Kenneth D. Fenton, P.S., Deputy Engineer
Doug Frank – Bridge Superintendent
Pamela Fulton – Office Assistant

William A. Pierce, P.S. – LIS Director
Shayne Gray – GIS/CAD Coordinator
Mark Niccolini – Ditch Maintenance Supervisor
Lew Richards – Traffic Supervisor
Ned G. Weber, Deputy Engineer

Based upon our review of access and drainage, the County Engineer has no objection to the proposal to rezone the subject tract, providing improvements are completed in conjunction with the B&N report.

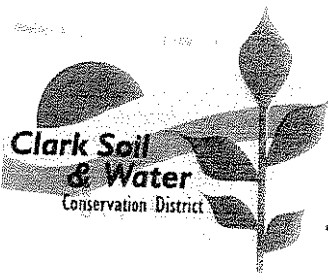
Sincerely,

Bruce C. Smith P.E., P.S.
Clark County Engineer



Kenneth D. Fenton
Deputy Engineer

Cc: City of Springfield, Heather Whitmore



4400 Gateway Blvd. - Suite 103
Springfield, Ohio 45502

Phone (937) 328-4600/4601
Fax (937) 328-4606

With the Right to Own – Goes the Duty to Conserve

BOARD OF SUPERVISORS

Paul Snyder, Chairman
Alan Donaldson, Vice Chairman
John Ritter, Treasurer
David Stickney, Fiscal Agent
Adam Agle, Secretary

December 19, 2005

Mr. Phil Tritle
Clark County Planning Department
25 West Pleasant St.
Springfield, OH 45506

RE: Next Edge Tech. Park ~ A to RDP
Titus Rd./US40 ~ CEDA ~ 200+ acres

Dear Mr. Tritle,

The Clark Soil & Water Conservation District has reviewed the site and provided the following information relative to soils and drainage.

Soils

- (Dr) Drummer silty clay loam, gravelly substratum. This deep soil is nearly level and very poorly drained. It is on flats, drainageways, and depressions. This soil has a seasonal high water table from at the surface to 2 feet below the surface from March to June, and may have periods of surface ponding during the same period.
- (EmB) Eldean silt loam, 2 to 6 percent slopes. This very deep soil is gently sloping and well drained. It is located along drainageways on stream terraces and on gravel knolls on uplands. This soil is not subject to flooding.
- (OcA) Ockley silt loam, 0 to 2 percent slopes. This very deep soil is nearly level and well drained. It is on terraces along larger streams. The parent material is loess and glacial outwash underlain by sand and gravel.
- (WpA) Waupacan silt loam, 0 to 2 percent slopes. This very deep soil is nearly level and well drained. It is on flats. The parent material is silty material over sandy and gravelly glacial outwash.

Drainage

- The development of this piece of property will significantly impact the existing drainage of the Prime Ohio Corp. Park. There are existing drainage and flooding problems in the Prime Ohio Corporate Park due to the poorly drained soils/ high seasonal water table and inadequate outlet for the runoff. This office participated in numerous meetings with representatives of the Springfield Township Trustees, Clark County Engineer's Department, Reinhart Consulting Group, City of Springfield, Clark County Commission and the Chamber of Commerce, to discuss various solutions to the problems. As a result, a report was prepared by Burgess & Niple outlining the impact of future development northwest of Prime Ohio, potential drainage improvement projects.
- Since the distribution of the Burgess & Niple report, this office is not aware of the extent of drainage improvements that have been completed.

CONSERVATION ~ DEVELOPMENT ~ SELF-GOVERNMENT

- The plan indicates a "future wet pond" located off-site to the south. It is unclear how the pond will be maintained and by whom. Based on the information provided, there is currently not an adequate outlet available for the proposed development. The definition of an "adequate outlet" is attached.
- The concept plan does not take the existing topography or natural features into account. It appears the entire 200+ acres will be disturbed.
- The proposed "prairie/pond areas" on the north side of the site do not benefit the other areas of the site where existing residential/business are located.

In summary, the drainage issues should be resolved prior to rezoning of this site.

Respectfully,

Christine Pence, CPESC
Urban Coordinator

Attachment: Adequate outlet information

PETITION FOR CHANGE OF ZONING DISTRICT

OBTAIN INSTRUCTIONS AS TO THE PREPARATION OF MAPS AND OTHER DATA OR INFORMATION PERTINENT TO THIS PARTICULAR PETITION FROM THE DEPARTMENT OF PLANNING AND DEVELOPMENT, CITY HALL, BEFORE FILING THIS PETITION WITH THE CITY CLERK. A NONREFUNDABLE FEE OF \$285 MUST BE SUBMITTED WITH THE APPLICATION.

NOTICE: PETITIONS FILED IN THE CITY CLERK'S OFFICE ARE NOT OFFICIALLY RECEIVED UNTIL THEY HAVE BEEN REVIEWED AND ACCEPTED BY THE CLERK OF THE CITY COMMISSION.

Honorable City Commission
City Hall
76 East High Street
Springfield, OH 45502

*RDP Research and
Development Park
district - amended
per petitioner by phone
12.6.5 g.*

The undersigned petitions that the following described property be rezoned from a(n) Agricultural District to a(n) Technology Research & Development District: containing 204.76 acres, situated at (give street address or simple location description):

US 40 and Titus Road

Exhibit A

Attach either a metes and bounds description or subdivision and lot number description. *Attached*

Exhibit B

Attach a plot plan of the petitioned lands and all other properties within 200 feet.

Attached

Exhibit C

Attach the names and addresses of all property owners within 200 feet of any part of the petitioned property. First obtain the permanent parcel numbers from the GIS Office in the A. B. Graham Building; then the property owners' names from the Auditor's Office; and then the property owners' addresses from the Treasurer's Office. Do not list tenants of properties or banks holding a loan on the property. (When ten or more contiguous properties are joined in one petition, these names need not be submitted).

Attached - Plus "burned" CD for reference

Copy sent to Engineering and Planning *12/6/05*

Rezone No. 05-2-19

D:\data\word\petitions\rezone petition Revised 1/7/05

Receipt No. 205179

reviewed 12.6.5 g.

DEC 06 2005

Exhibit D

Attach a sheet listing your reasons for the zoning district amendment.

Accommodation for development of a Technology Park

Exhibit E

1. Is the requested zone compatible to existing zoning and land use in the area?

Yes

2. Does it conform to the City's adopted Land Use Plan and the best overall Community Development?

Yes, the Land Use Plan shows this property for mixed industrial. Within the "Crossroads" comprehensive plan for Clark County Communities mixed industrial identifies high technology research and development as a focus. Thus the proposed zoning should support the plan use.

3. Does the proposed zoning conform to City's adopted Thoroughfare Plan? Will it adversely affect the capacity of the present road system in the area?

Yes. No as recently updated in October 2005

4. Are adequate sanitary sewer, water, and storm drainage facilities available?

Yes

The undersigned deposes and states that I am the owner or an interested person of the property involved in this petition.

Raymond A. Hagerman

Signature

AFFIDAVIT

STATE OF OHIO)
) SS:
COUNTY OF CLARK)

I, RAYMOND A. HAGERMAN, being duly sworn, depose and say that I am an interested person of the rezoning involved in this petition and that the foregoing signatures, statements, and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my knowledge and belief.

R. A. Hagerman
Signature

4 West Main St., Suite 821
Address

937. 325-1300
Telephone

Springfield OH 45502
City, State, and Zip Code

Subscribed and sworn to before me this 5th day of December, 2005.

MICHAEL G. MORRIS
Notary Public, State of Ohio
My Commission Expires 8-21-2010

Michael G. Morris
Notary Public

Exhibit II

Legal Description of 204.76 acre parcel owned by Dearth Resources, Inc.

Situated in the City of Springfield, Township of Springfield, County of Clark, and State of Ohio, and being part of Sections 4, 5, 10, and 11, Township 5, Range 9, Between the Miami River Survey (B.M.R.S.) and being owned by Dearth Resources Inc. as recorded in O.R.V. 1493 page 1207 of the Deed Records of Clark County, Ohio, and further described as follows;

Beginning at a stone found at the northeast corner of a 64.64 acre tract, conveyed to Chakeres Realty Co. as recorded in Deed Volume 717, Page 62 of the Deed Records of Clark County, Ohio, said corner being in the common section line of said Sections 10 and 11 and being approximately North 83°35'16" West 647.58 feet from the intersection of Sections 4, 5, 10, and 11;

Thence with the northerly line of said 64.64 acre tract, North 83°35'16" West, 715.15 ft to a ¾" iron pipe found at the southeast corner of a 4.01 acre tract conveyed to Chakeres Theatres Inc. as recorded in O.R.V. 85, Page 371 of the Deed Records of Clark County, Ohio;

Thence along the easterly line of said 4.01 acre tract, North 4°12'19" East, 1140.00 feet to a 1" pinched pipe found on the south line of a 4.00 acre tract conveyed to Welchart Group LLC as recorded in O.R.V. 1686, Page 723 of the Deed Records of Clark County, Ohio;

Thence along the south line of said 4.00 acre tract, South 89°23'41" East, 335.00 feet to an iron pin set at the southeast corner of said 4.00 acre tract;

Thence along the east line of said 4.00 acre tract, North 4°08'19" East, 492.62 feet passing an iron pin set on the southerly limited access right of way line of U.S. Rt. 40 at 367.81 feet to the (old) centerline of U.S. Rt. 40 (National Road);

Thence along the (old) centerline of said U.S. Rt. 40, South 88°59'49" East, 1052.87 feet to the northwest corner of a 1.57 acre tract conveyed to the Community Improvement Corp. of Springfield and Clark County as recorded in O.R.V. 1396, Page 313 of the Deed Records of Clark County, Ohio;

Thence along the west line of said 1.57 acre tract, South 3°48'13" West, 344.00 feet to a concrete monument found (disturbed), passing a concrete monument found at 125.24 feet;

Thence along the south line of said 1.57 acre tract, South 89°04'54" East, 200.15 feet to a concrete monument found;

Thence along the east line of said 1.57 acre tract, North 4°17'16" East, 343.86 feet to the northeast corner of said 1.57 acre tract in the (old) centerline of U.S. Rt. 40 and, passing a concrete monument found at 218.69 feet;

Thence along the (old) centerline of U.S. Rt. 40, South 88°59'49" East, 1718.34 feet to the point of intersection with the centerline of Titus Road, said point being North 21°29'51" West, 131.88 feet from a found concrete monument located 60 feet right of Station 946+30 of the Right of Way Plans of CLA-40-15.18-23.88 in the office of the Ohio Department of Transportation;

Thence along the centerline of Titus Road (50') as established by the Clark County Engineer's Office and as described in Deed Volume 299, page 316 of the Deed Records of Clark County, Ohio, South 6°17'53" West, 1113.32 feet to a railroad spike found at the northwest corner of the plat of The Woods as recorded in Plat Book 13, Page 57 of the Plat Records of Clark County, Ohio;

Thence leaving said centerline of Titus Road, along the westerly line of said Plat and the westerly

Page 1001 of the Deed Records of Clark County, Ohio said point also being on the Northeast corner of said 0.127 acre tract;

Thence along the westerly line of said 1.468 acre tract, South 2°31'22" East, 154.67 feet to a 5/8" rebar found with cap stamped, "Hoppes 6352," at the common corner of said 1.468 acre tract and a 1.591 acre tract conveyed to Casey and Nikki Lee as recorded in O.R.V. 1398, Page 1624 of the Deed Records of Clark County, Ohio;

Thence along the westerly line of said 1.591 acre tract and becoming the westerly line of a 2.794 acre tract conveyed to Richard C. Board, Trustee as recorded in O.R.V. 1599, Page 1589 of the Deed Records of Clark County, Ohio, South 4°53'24" West, 455.14 feet to a 5/8" rebar found at the southwest corner of the said 2.794 acre tract;

Thence along the southerly line of said 2.794 acre tract the following two courses: North 77°23'10" East, 209.38 feet to a 5/8" rebar found; Thence South 83°23'38" East, 288.38 feet to a 5/8" rebar found with cap in the centerline of Titus Road, passing a 5/8" rebar found at 258.47 feet;

Thence along the centerline of Titus Road (as recorded in Deed Volume 299, page 316 of the Deed Records of Clark County, Ohio) along the following four courses: South 0°26'17" West, 179.18 feet to a point; Thence along a curve to the left, having a radius of 286.50 feet, and a chord bearing South 24°33'43" East, 242.16 feet to a point; Thence South 49°33'43" East, 120.30 feet to a point; Thence along a curve to the right, having a radius of 286.50 feet, and a chord bearing South 34°57'23" East, 144.37 feet to the Grantors southeast property corner;

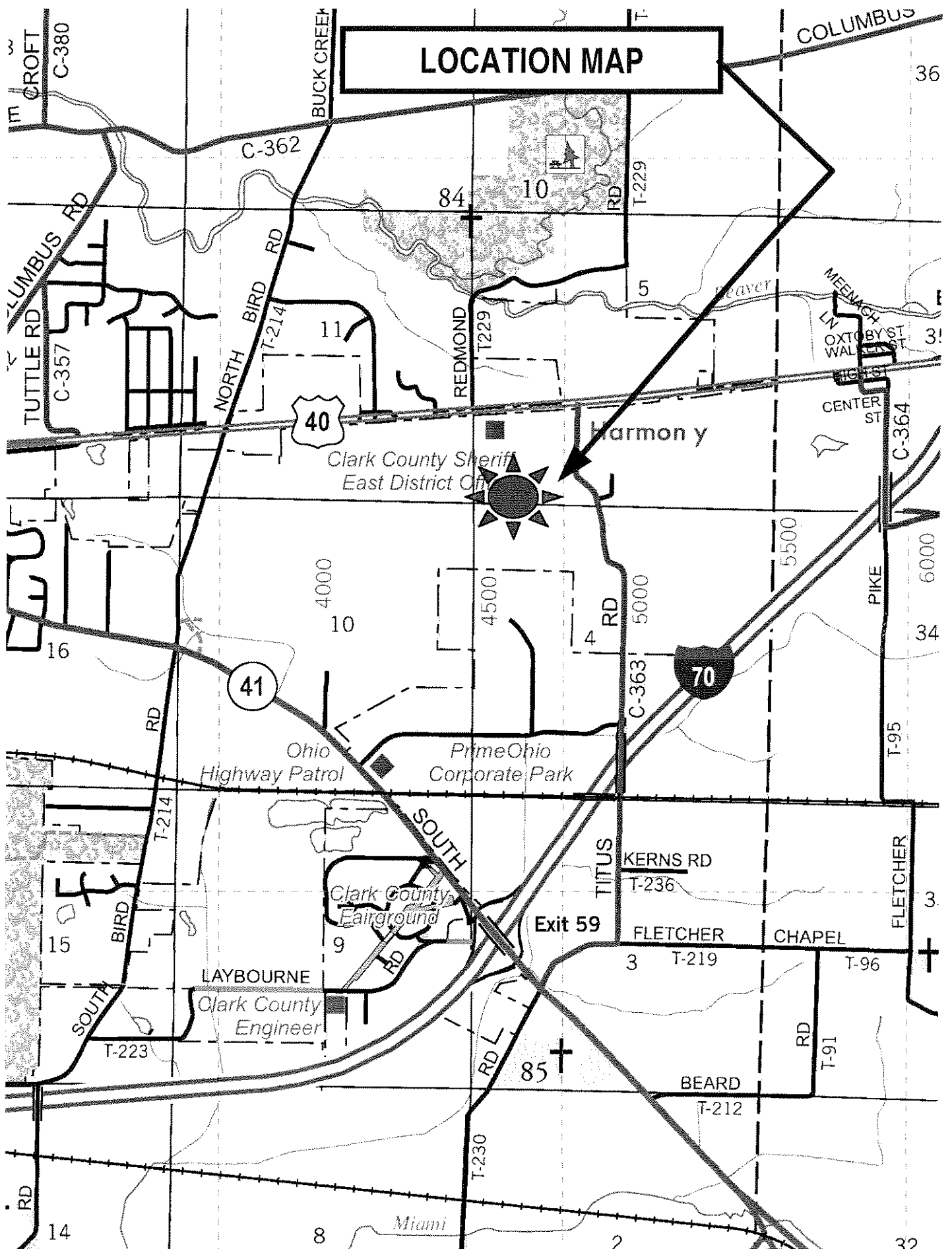
Thence along the northerly lines of a 1.178 acre tract conveyed to Robert H. and Barbara Gray as recorded in O.R.V. 1159, Page 13, a 28.24 acre tract conveyed to Walton and Evalena Cox as recorded in O.R.V. 1668, Page 1078, a 40.19 acre tract conveyed to the Dole Dried Fruit and Nut Company as recorded in O.R.V. 828, Page 318, and a 39.11 acre tract conveyed to Reed Elsevier Inc. as recorded in O.R.V. 1641, Page 1875 of the Deed Records of Clark County, Ohio, North 83°31'27" West, 3393.89 feet to a 3/4" iron pipe found at the northwest corner of said 39.11 acre tract, and on the easterly line of said 64.64 acre tract;

Thence along the easterly line of said 64.64 acre tract, North 5°52'21" East, 1160.26 feet to the place of beginning, and containing 204.76 acres, more or less. Surveyed and described in April of 2005 by Korda/Nemeth Engineering, Inc. under the direction and supervision of Ronald W. Eifert, Ohio Surveyor No. 6045, and subject to all legal bylaws and easements, and reproduction of record.

The bearings used herein are based on Grid North, Ohio State Plane Coordinate System, occupying monuments Clark 102, and Clark 38.

Iron pins set are 3/4" x 30" long bars with a plastic cap marked, "KNE 6045."

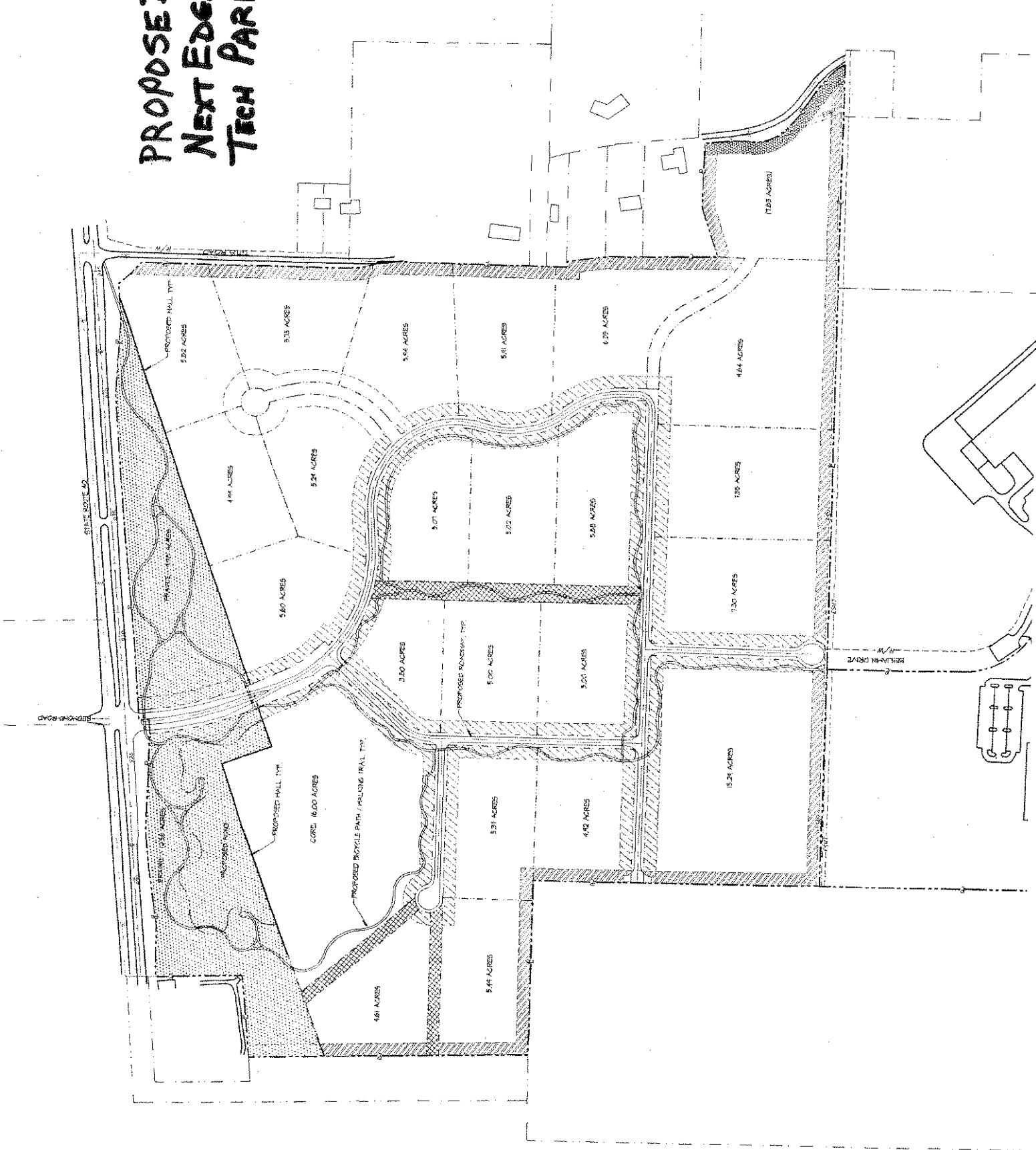
Ronald W. Eifert
Registered Surveyor No. 6045

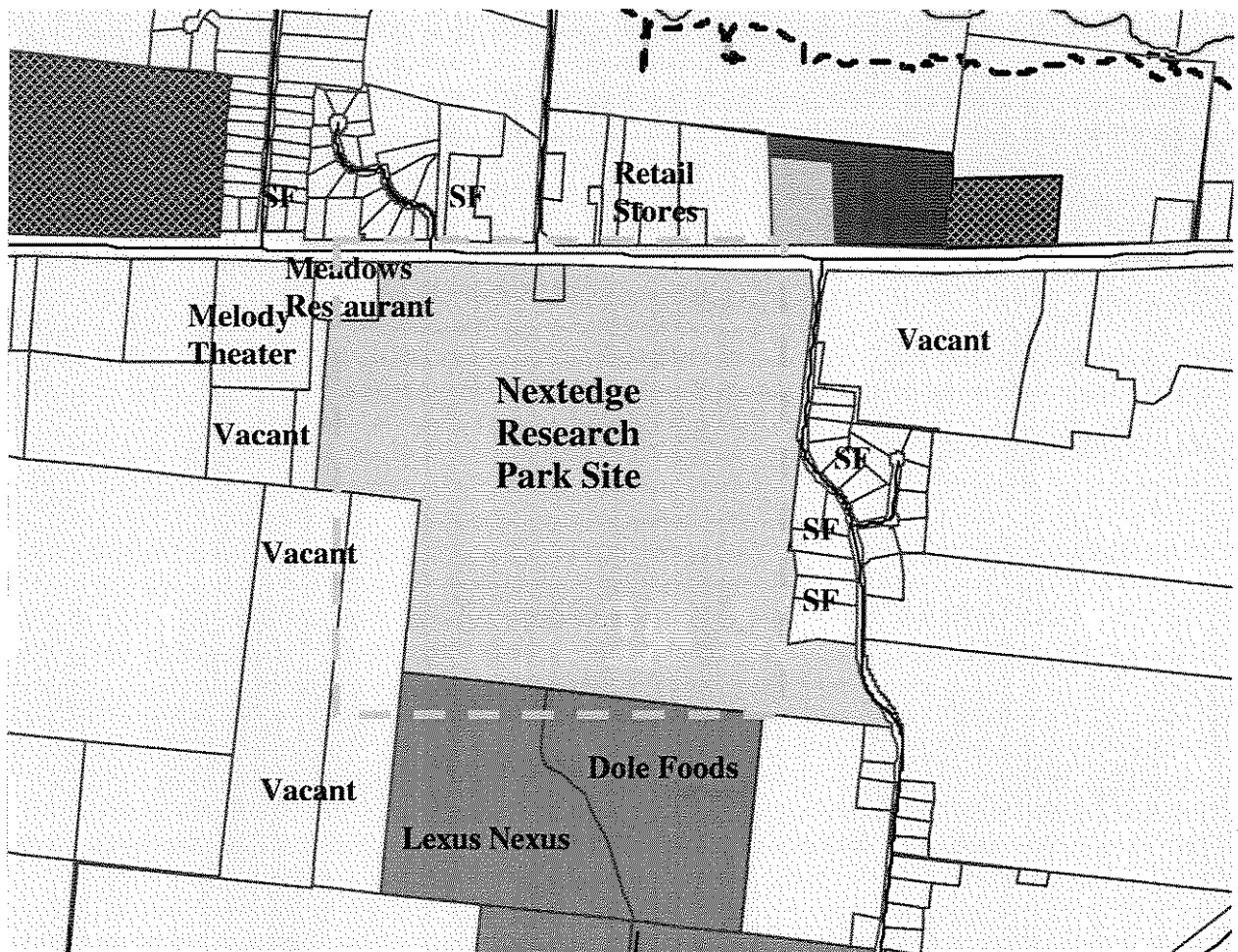


REZONING CASE 05-Z-19
City of Springfield

E. National Rd. @ Titus Rd.
A (Twp.) to RDP (City)

24

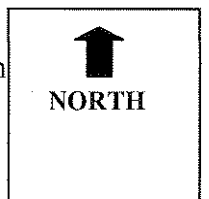




Rezoning Case #05-Z-19

Request for a change in zoning for 204.76 acres from A-1, Agricultural District to Research and Development Park (RDP) District.

December 2005



Rezoning Case # S-2006-1

To: CEDA Regional Planning Commission	Date of Meeting: January 5, 2006
From: Planning Staff	Date of Report: December 20, 2005

Applicant: Norman Hirst

Owner: Norman Hirst

Request Action: Rezone from- A (Agricultural District) to
R-1 (Single Family Residential District)

Purpose: To split off 3 building lots

Location: SPRINGFIELD TWP. - South of 1055 Bird Rd.

Size: 3.93 acres

Existing Land Use: undeveloped

Surrounding Land Use and Zoning

	<i>Land Use</i>	<i>Zoned</i>
<i>North</i>	Low Density Residential & Agriculture	A (Agricultural)
<i>South</i>	Low Density Residential & Reid Park	A (Agricultural) & R-1 (Single Family Residential)
<i>East</i>	Low Density Residential & Agriculture	A (Agricultural) & R-1 (Single Family Residential)
<i>West</i>	Low Density Residential & Reid Park	A (Agricultural) & R-1 (Single Family Residential)

ANALYSIS

This property was zoned B-3 (General Business District) in 1990.

REPORTS FROM OTHER AGENCIES

County Engineer

Access to public roadway is directly available to Eichelberger Lane. No access to Bird Rd. is recommended. Drainage appears adequate under present use and no major issues are expected with residential development. The County Engineer has no objections to the proposed rezoning.

(See Dec. 14th, 2005 letter)

Soil Conservation

The Clark Soil & Water Conservation District has reviewed the site and provided the following information relative to soils and drainage.

Soils

Celina silt loam (CeA, CeB) ~ This very deep soil is nearly level and moderately well drained. This soil has a perched high water table from 2.0 to 3.5 feet in depth from January to April but is not subject to flooding. The Soils Potential Index (SPI) rates these soils Medium (70) since costs of measures for overcoming soil limitations are high. Soil limitations regarding dwellings without basements are rated Moderate due to wetness, while dwellings with basements are rated Severe due to wetness.

Drainage

The majority of the site appears to drain satisfactory under the current use. There is not a suitable surface or subsurface drainage outlet available on-site. Basements are not recommended due to the Severe soil limitations. (See Dec. 19th, 2005 letter)

County Health Department

The Combined Health District performed a soil analysis on the lots and they are suitable for on-site sewage systems. (See Nov. 9th, 2005 letter)

Planning Department

The **CROSSROADS** Comprehensive Land Use Plan indicates this area is Mixed Use Development and includes commercial, office, light industrial and related uses, and is appropriate in existing and new locations. The land use pattern within urban areas will continue to be mixed use – reflecting historic patterns – but with some concentration into functional, single-use districts (e.g., residential, business districts, industrial areas). Infill and redevelopment should be the priority in urban areas.

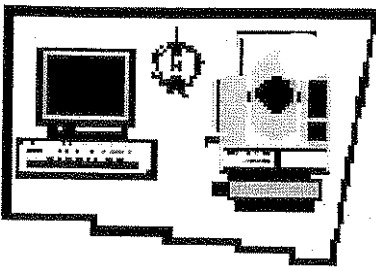
The surrounding area has uses consisting mostly of single-family dwellings and agriculture. Reid Park is located south and west of this rezoning. Springfield Township has a 5 acre minimum lot size in the “A” Agricultural District. Therefore rezoning is necessary for 1 acre lots.

RECOMMENDATION

The Staff recommends approval of this rezoning from A to R-1.

Attachments:

County Engineer's letter
Soil & Water Conservation District's letter
Location Map
Zoning Map
Springfield Township zoning text



Clark County
Engineer's Department
4075 Laybourne Rd Springfield, Ohio 45505-3613
Bruce C. Smith, P.E., P.S.
Clark County Engineer

Office # (937) 328-2484

Fax # (937) 328-2473

www.clarkcountyohio.gov/engineer

December 14, 2005

Clark County Planning Commission
25 West Pleasant Street
Springfield, Ohio 45506
Attention: Phil Tritle, Planner

Re: **Rezoning Request S-2006-1**
Norman Hirst
3.93 acres from A to R-1

Mr. Tritle,

The County Engineer has reviewed the request to rezone the property located at northwest corner of Eichelberger Lane and Bird Road, from A to a R-1 Residential Zoning district for residential purposes. The owner proposes to subdivide the property into three (3) residential lots.

Access to a public roadway is directly available from Eichelberger Lane, but no access is recommended onto Bird Road. This should not impose any hardship on the present or future owner(s).

Drainage appears adequate under the present use and no major issues are expected with development for residential purposes.

Based upon our review of access and drainage, the County Engineer has no objection to the proposal to rezone the subject tract from A to R-1 zoning.

Sincerely,

Bruce C. Smith P.E., P.S.
Clark County Engineer

Kenneth D. Fenton
Deputy Engineer

Cc: Springfield Township, Jeff Briner

Donald Boyle – Road Superintendent
Paul W. DeButy P.E. – Design Engineer
Kenneth D. Fenton, P.S., Deputy Engineer
Doug Frank – Bridge Superintendent
Pamela Fulton – Office Assistant

William A. Pierce, P.S. – LIS Director
Shayne Gray – GIS/CAD Coordinator
Mark Niccolini – Ditch Maintenance Supervisor
Lew Richards – Traffic Supervisor
Ned G. Weber, Deputy Engineer



4400 Gateway Blvd. - Suite 103
Springfield, Ohio 45502

Phone (937) 328-4600/4601
Fax (937) 328-4606

With the Right to Own – Goes the Duty to Conserve

BOARD OF SUPERVISORS

Paul Snyder, Chairman
Alan Donaldson, Vice Chairman
John Ritter, Treasurer
David Stickney, Fiscal Agent
Adam Agle, Secretary

December 19, 2005

Mr. Phil Tritle
Clark County Planning Department
25 West Pleasant St.
Springfield, OH 45506

RE: S-2006-1 ~ Hirst ~ 3.93 acres ~ A to R1
Bird Rd./Eichleberger ~ Springfield Twp.

Dear Mr. Tritle,

The Clark Soil & Water Conservation District has reviewed the site and provided the following information relative to soils and drainage.

Soils

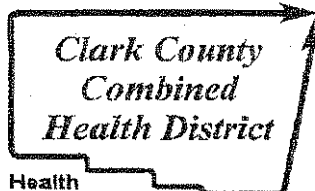
- **Celina silt loam (CeA, CeB)** ~ This very deep soil is nearly level and moderately well drained. This soil has a perched high water table from 2.0 to 3.5 feet in depth from January to April but is not subject to flooding. The Soils Potential Index (SPI) rates these soils Medium (70) since costs of measures for overcoming soil limitations are high. Soil limitations regarding dwellings without basements are rated Moderate due to wetness, while dwellings with basements are rated Severe due to wetness.

Drainage

The majority of the site appears to drain satisfactory under the current use. There is not a suitable surface or subsurface drainage outlet available on-site. Basements are not recommended due to the Severe soil limitations.

Respectfully,

Christine Pence, CPESC
Urban Coordinator



Health
Commissioner

Charles A. Patterson, RS, MBA

Clark County Combined Health District
529 East Home Road
Springfield, Ohio 45503

Main: (937) 390-5600 Fax: (937) 390-5625
Email: health@ccchd.com TDD: (937) 390-5605

Help Me Grow

Main: (937) 322-2099 Fax: (937) 322-4189



2430 Van Buren Avenue
Springfield, OH 45505

November 9, 2005

Phil Tittle
Clark County Planning Commission
25 W. Pleasant Street
Springfield, OH 45506

Dear Mr. Tittle,

The Clark County Combined Health District has performed a soil analysis on the following lot(s), for the purposes of a lot split:

Owner: Norman Hirst

Location: 1055 S. Bird Road

Date: November 8, 2005

The results of the analysis indicate that:

- ☒ The soil was **suitable** for an on-site sewage disposal system.
- ☐ The soil was **unsuitable** for an on-site sewage disposal system.

Additional comments:

This report is respectfully submitted by

Robert Ingoldsky, R.S.

Post-It® Fax Note 7671		Date 11-9-05	# of pages 1
To Phil Tittle	From Bob Ingoldsky		
Co./Dept. Planning	Co. Health		
Phone # 328	Phone # 390-5600		
Fax # 328-2621	Fax # X 253		

Board of Health

Richard Colvin, President

David Bartos

Harry Elliott

Stephen Feagins, MD

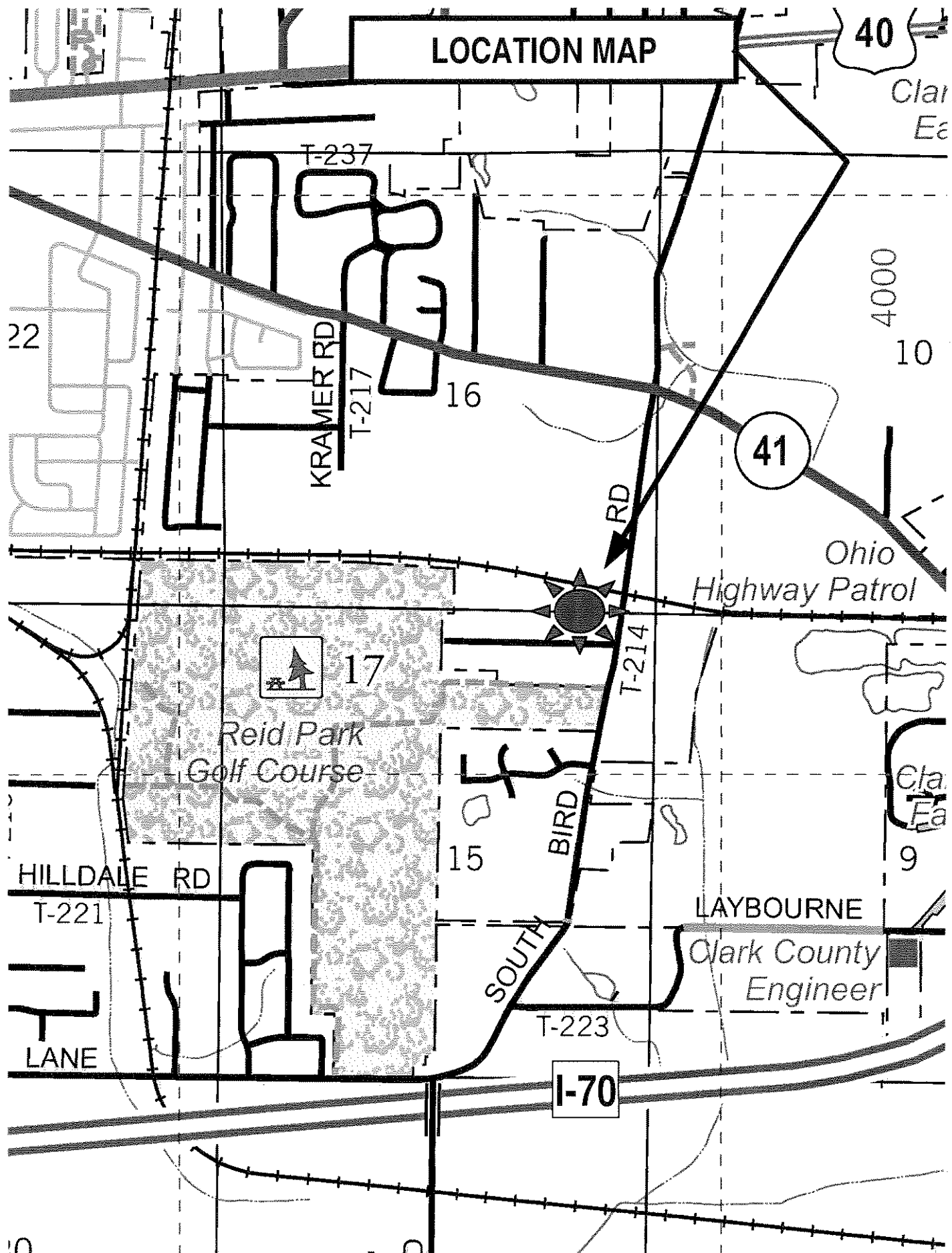
Richard Foster

Sheila Rice

Susan Weaver, RN

Dan Young

LOCATION MAP



**REZONING CASE S-2006-1 NW corner Bird & Eichelberger
Springfield Twp. A to R-1**

Zoning Map

780ft

A

R-1

1055

Eichelberger Ln.

A

R-1

City of Springfield
(Reid Park)

Bird Rd.

A

R-1

**REZONING CASE S-2006-1 NW corner Bird & Eichelberger
Springfield Twp. A to R-1**

MEMORANDUM

TO: CITY PLANNING BOARD
FROM: HEATHER WHITMORE, PLANNING AND ZONING ADMINISTRATOR
SUBJECT: DOWNTOWN MEDICAL CAMPUS (DMC) ZONING HOSPITAL
ZONING CODE AMENDMENT
DATE: DECEMBER 6, 2005

In coordination with the Center City Association and Community Mercy Hospital, City staff has completed the new zoning text for the Downtown Medical Campus (DMC) District. This is a request to approve DMC as a new zoning district. This is only a text amendment, and not a rezoning. Staff seeks to have this new text legislated by the City Commission by February 2006. Following the adoption of this text amendment, staff will initiate a rezoning of a portion of the Hospital Redevelopment Area. This memo summarizes how these policy changes will effect specific land development regulations for users in this district.

The following text changes are proposed by this request (please see attached exhibits):

1. Add Chapter 1133: (see exhibit A)
2. Add policy 1150.01 (i): (see exhibit B)
3. Insert amended policy 1151.01 (a): (see exhibit C)
4. Insert amended policy 1152.02 (c): (see exhibit D)
5. Insert amended policy 1155.05 (e): (see exhibit E)

. Uses

The development of the new Community Mercy hospital campus will be limited to the uses outlined in Title Two: Chapter 1133.

. Specific Uses

The specific use of nursing home in the DMC district shall be subject to Title Three: Policy 1135.21.

A nursing home shall be subject to the following specific requirements:

- (a) A nursing home shall access an arterial street as identified on the Land Use Plan Map or on a street pavement wider than 30 feet.

- (b) Dimensional requirements.
 - (1) Minimum lot area: 600 square feet of lot area per each bed.
 - (2) Minimum yards:
 - Front yard--40 feet
 - Side yard--30 feet
 - Rear yard--25 feet
 - (3) The maximum permitted building coverage shall be 40 percent.

. Yard and Area Requirements

All principle buildings and most accessory buildings on lots abutting a public street shall have a front yard line established 50 feet from the right-of way.

. Height Requirements

Principle uses are subject to the height requirements according to Title Four: Policy 1151.01 (a) (b).

For all buildings for which a height is required, the maximum height may be increased, provided no portion of the building shall project through imaginary planes leaning inward at a 24 degree angle from horizontal and commencing 35 feet above ground level at the yard lines. (See illustration below.) This angle represents an increase of one (1) foot of height for each two and one-quarter (2.25) feet of horizontal distance perpendicular to the lot lines. Where existing land abutting the lot is developed or preserved with permanent open space (such as street right-of-way), the imaginary plane may commence from the opposite side of the open space at ground level. This subsection need not apply to that side of a building along the boundary of another district which permits buildings to be higher than 35 feet.

. General Requirements

Specific detached accessory uses are subject to the location and height requirements of Title Four: Policy 1151.02 (c). The following provisions apply to the DMC district.

Canopy, gas pump island. Unenclosed canopies over gas pump islands may be located within the required front yard or side yard, provided at street intersections, the supports shall not be located within a triangular area two (2) of its sides 30 feet in length and measured along the curb lines (or pavement edge where curbs do not exist) from the point of intersection.

Fences and hedges. Fences and hedges may be located in any yard subject to the requirements of Chapter 1156.

Ornamental features. Light fixtures, flag poles, arbors, trellises, fountains, sculptures, plant boxes, plants, trees, and other similar ornamental features may be located within any yard. However, at street intersections, no ornamental feature more than two and one-half feet (2.5) feet in height above the curb level shall be located within a triangular area two (2) of its sides 30 feet in length and measured along the curb lines (or pavement edge where curbs do not exist) from the point of intersection.

Parking, off-street. Except as otherwise provided in Chapter 1153, open off-street parking may be located within any yard.

Decks and stoops, uncovered. Porches, balconies, decks and stoops which

are uncovered, may extend into any yard, provided that such projections shall not extend into a front yard more than eight (8) feet. Stoops may extend into a side yard not more than two (2) feet.

Signs. Signs may only be located within a yard according to the provisions of Chapter 1155.

Swimming pools and hot tubs. Swimming pools and hot tubs with a depth of 18 inches or more may be located in any yard, provided that in an R district they shall not be located in a front yard and shall not be located closer than 10 feet to a side or rear lot line.

Telephones, coin operated. In C, M, and DMC districts, coin operated telephones may be located within any yard.

Windows. Bay windows and similar projecting windows may extend into any yard, provided in an R district, they shall not be closer than three (3) feet to a side lot line.

Skywalks. In the DMC district, skywalks for pedestrian access over private property and over public streets, when approved by the Department Engineering and Planning, may be located within any yard.

Public Transportation Area. In the DMC district, public transportation areas may be located within any yard.

. Off-Street Parking

General off-street parking construction, location, and screening requirements are subject to Title Five: Chapter 1153. The number of required parking spaces is dictated by Title Five: Policy 1153.02 Table 1.

. Sign Requirements

The general sign permitting and construction requirements are subject to Title Five: Chapter 1155. The sign location and size is subject to Title Five: Policy 1155.05 (e).

(1) Permitted signs.

A. Signage for residential uses shall comply with the requirements for residential uses in the RM-20 district above.

B. Fascia signs.

C. Only one of the following types of signs:

1. Monument sign.

2. Free-standing sign.

D. Canopy signs.

E. Awning signs.

F. Window signs.

(2) Provisional signs.

A. When two or more uses are located on a lot in two or more buildings, one monument sign shall be permitted for each building. Each monument sign shall not exceed an area of 40 square feet, 20 square feet per sign face (for a double faced sign).

B. In lieu of A above, when two or more uses are located on a lot, a common monument or free-standing sign shall be permitted. The maximum area of the common sign may be 50 percent larger than the area of the maximum individual sign allowed.

C. In lieu of A and B above two free-standing or monument signs or one free-standing and one monument sign are permitted provided

that frontage along a single lot is not less than 160 feet. The distance between two free-standing signs shall be no less than 150 feet as measured along the frontage of the lot.

D. Computer controlled variable message electronic sign as regulated by section 1155.03(b)(3), provided the total area shall be deducted from the sign area permitted.

E. One free-standing sign located within 2,000 feet of Federal Highway 70 or U.S. Route 68 may have a maximum sign area of 300 square feet, 150 square feet per sign face (for a double faced sign), and a height not to exceed 65 feet. This sign shall be in lieu of a free-standing or monument sign otherwise permitted.

(3) **Dimensional requirements.**

A. Uses in this district shall be allowed a maximum building sign area per sign wall equal to 15 percent of the area of the sign wall on which the sign is to be located.

B. Individual signage allowances.

1. **Fascia sign.**

Maximum area: 15 percent of the sign wall area.

Maximum height: None.

2. **Canopy sign.**

Maximum area: 12 square feet

Maximum height: Top of first story.

3. **Awning sign.**

Maximum area: 25 percent of the surface of the awning.

Maximum height: Top of first story.

4. **Window sign.**

Maximum area: 25 percent of the area of the window.

Maximum height: None.

5. **Monument sign.**

Maximum area: Two square feet per foot of lot frontage, not to exceed a total of 150 square feet, 75 square feet per sign face (for a double faced sign).

Maximum height: Five feet.

6. **Free-standing sign.**

Maximum area: Two square feet per lineal foot of lot frontage, not to exceed 250 square feet, 125 square feet per sign face (for a double faced sign).

Maximum height: 35 feet above the height of the nearest street grade.

. Fence and Hedge Requirements

Fence and hedge construction and design is subject to Title Five: Chapter 1156. Fences and hedges may be maximum of 8 feet and visibility triangles must be maintained.

. Tree Requirements

All new development must conform to tree regulations according the Title Six: Chapter 1158. Development along rights-of-way require tree planting at a minimum of every 40 feet of lot frontage. Development of private property requiring more than 15 parking spaces shall locate trees so that no parking

space is more than 40 feet from small tree, 50 feet from a medium tree, or 60 feet from a large tree.

. Performance Standards

All uses in the hospital campus shall conform to the performance standards required in Title Six: Chapter 1161, as concerned with smoke, particulate matter, toxic matter, vibrations, glare, storage, and screening. Notably, lights for the external illumination of buildings or grounds shall be directed or located in such a manner that all direct or indirect illumination shall not exceed .35 footcandles at an R district boundary and the source of light shall not be visible within an R district or within a lot of a conforming residential use in a C district.

Exhibit A

Chapter 1133 Downtown Medical Campus (DMC) District

- 1133.01 Purpose.**
 - 1133.02 Intent**
 - 1133.03 Applicability**
 - 1133.04 Principal uses permitted.**
 - 1133.05 Accessory uses permitted.**
 - 1133.06 General Provisions**
 - 1133.07 Special Provisions**
-

1133.01 PURPOSE.

The Downtown Medical Campus (DMC) District is intended to provide for the development of hospital and specialized medical services in a central location for residents of the City and surrounding communities. Hospitals, health care, medical offices, and related uses for convenience to hospital activities are appropriate in the DMC Zone.

1133.02 INTENT.

The intent of the Downtown Medical Campus (DMC) District is to encourage and foster the planning, design and construction of a well-functioning, attractive medical campus environment that: (a) provides an appropriate setting for both initial and long term capacity for delivering high quality healthcare services to the City, community and the region; (b) provides flexibility in architectural design, placement and clustering of buildings, use of open space, provision for traffic circulation facilities and parking, and related site and design considerations; (c) enhances the downtown area and is an anchor for continued investment in redevelopment and renewal of the downtown area and its adjacent neighborhoods; and (d) ensures sufficient flexibility and future capacity in the design and placement of campus facilities to best meet the future evolution of healthcare and ancillary services to the City, community and the region.

1133.03 APPLICABILITY.

The Downtown Medical Campus (DMC) District shall have a minimum size of 40 acres except in those situations where the City Planning Board determines that a lesser minimum size is appropriate taking into consideration the purpose and intent as described in Sections 1133.01 and 1133.02.

1133.04 PRINCIPAL USES PERMITTED.

The following principal uses are permitted in a Downtown Medical Campus (DMC) District:

- (a) Assisted Living Facility.
- (b) Daycare Facility (Child and Adult).
- (c) Educational Facility, including, but not necessarily limited to:
 - (1) Classrooms;
 - (2) Dormitories;
 - (3) Laboratories;
 - (4) Medical library;
- (d) Financial institution or branch banking facility internal to main building. Indoor or stand-alone outdoor ATM or similar automated banking facility;
- (e) Helipad or helistop in conjunction with hospital;
- (f) Hospital;
- (g) Ambulatory Surgery Center;
- (h) Mental Health Facility;
- (i) Skilled Nursing Facility;
- (j) Outpatient Services;
- (k) Imaging Center;
- (l) Long Term Care Facility;
- (m) Medical Office Building;
- (n) Clinic;
- (o) Dialysis Center;
- (p) Dental Facility;
- (q) Urgent Care Facility;
- (r) Hospice;
- (s) Hyperbaric Treatment Center;
- (t) Laboratories;
- (u) Home Care Office Space;
- (v) Pharmacy;
- (w) Health Center;
- (x) Reproductive Health Services Center;
- (y) Diagnostic Services;
- (z) Alternative Medicine Center;
- (aa) Medical, optical, dental and prosthetic supply store;
- (bb) Medical or Administrative Office and/or Building;
- (cc) Religious institution;
- (dd) Medical Research Facility including, but not necessarily limited to, animal research to support Hospital services;
- (ee) Wellness/Rehabilitation Centers;
- (ff) Parking Facility or Public Transportation Facility;
- (gg) Bookstore having its public access to the main entrance or to a central corridor of the hospital or other principal use facility;
- (hh) Flower shop having its public access to the main entrance or to a central corridor of the hospital or other principal use facility;

- (ii) Food service having its public access to the main entrance or to a central corridor of the hospital or other principal use facility;
- (jj) Gift shop having its public access to the main entrance or to a central corridor of the hospital or other principal use facility;
- (kk) Laundry and Dry Cleaning having its public access to the main entrance or to a central corridor of the hospital or other principal use facility;
- (ll) Conference Center for hospital related/education purposes;
- (mm) Patient and patient family overnight accommodations;
- (nn) The foregoing list of permitted uses is not intended to be exhaustive of all uses permitted within the Downtown Medical Campus (DMC) District and any other use supportive, complimentary or compatible with a medical campus area is permitted.

1133.05 ACCESSORY USES PERMITTED.

- (a) Central Utility Plant;
- (b) Emergency and patient drop-off areas;
- (c) Garage for:
 - (1) Ambulances;
 - (2) Grounds equipment;
 - (3) Maintenance of principal and/or accessory use;
- (d) Medical Support Materials Warehouse;
- (e) Public Transportation Area;
- (f) Receiving Docks;
- (g) Skywalks over private property;
- (h) Skywalks over public streets when approved by the Department of Engineering and Planning;
- (i) Storage facilities (records, films, linens, equipment, supplies).
- (j) Information technology and communications systems.

1133.06 GENERAL PROVISIONS.

Except as otherwise provided in Section 1133.07, all principal and accessory uses and structures permitted within this district shall be subject to Title IV and Title V and to the supplemental requirements of Title VI, where applicable.

1133.08 SPECIAL PROVISIONS.

None.

Exhibit B

1150.01

(i) In the DMC district, lots abutting a public street shall have a front yard line established 50 feet from the right-of way.

Exhibit C

1151.01

The following maximum height requirements shall apply to the development of a principal building on a lot.

- (a) Except as otherwise provided, the height shall be as follows:
 - (1) Residential low-rise buildings: 35 feet
 - (2) Residential high-rise buildings: according to the requirements of Subsection 1151.01(b)
 - (3) Commercial buildings in R, CO-1 and CN-1 districts: 35 feet
 - (4) Commercial buildings in CC-2 and CI-1 districts: 35 feet
 - (5) Commercial and manufacturing buildings in all other districts: not applicable
 - (6) All buildings in the DMC district: according to the requirements of Subsection 1151.01(b)

Exhibit D

1152.02

- (c) **Location of accessory buildings and structures within specified yards.** The following buildings and structures may be located within the required yards specified, subject to the special conditions indicated.
- (1) **Accessory buildings.** Accessory buildings may be located within a side or rear yard, provided they shall comply with all other requirements of this chapter.
 - (2) **Canopy, gas pump island.** Unenclosed canopies over gas pump islands may be located within the required front yard or side yard, provided at street intersections, the supports shall not be located within a triangular area two (2) of its sides 30 feet in length and measured along the curb lines (or pavement edge where curbs do not exist) from the point of intersection.
 - (3) **Dog runs.** Dog runs constructed solely for the purpose of confining dogs for exercising and feeding may be located in any yard except DMC, provided that in an R district, they shall not be located in the front yard or side yard nor closer than five (5) feet to the rear lot line.
 - (4) **Fences and hedges.** Fences and hedges may be located in any yard subject to the requirements of Chapter 1156.
 - (5) **Ornamental features.** Light fixtures, flag poles, arbors, trellises, fountains, sculptures, plant boxes, plants, trees, and other similar ornamental features may be located within any yard. However, at street intersections, no ornamental feature more than two and one-half feet (2.5) feet in height above the curb level shall be located within a triangular area two (2) of its sides 30 feet in length and measured along the curb lines (or pavement edge where curbs do not exist) from the point of intersection.
 - (6) **Parking, off-street.** Except as otherwise provided in Chapter 1153, open off-street parking may be located within any yard.
 - (7) **Decks and stoops, uncovered.** Porches, balconies, decks and stoops which are uncovered, may extend into any yard, provided that such projections shall not extend into a front yard more than eight (8) feet. Stoops may extend into a side yard not more than two (2) feet.
 - (8) **Signs.** Signs may only be located within a yard according to the provisions of Chapter 1155.
 - (9) **Swimming pools and hot tubs.** Swimming pools and hot tubs with a depth of 18 inches or more may be located in any yard, provided that in an R district they shall not be located in a front yard and shall not be located closer than 10 feet to a side or rear lot line.
 - (10) **Telephones, coin operated.** In C, M, and DMC districts, coin operated telephones may be located within any yard.

- (11) **Windows.** Bay windows and similar projecting windows may extend into any yard, provided in an R district, they shall not be closer than three (3) feet to a side lot line.
- (12) **Skywalks.** In the DMC district, skywalks for pedestrian access over private property and over public streets, when approved by the Department Engineering and Planning, may be located within any yard.
- (13) **Public Transportation Area.** In the DMC district, public transportation areas may be located within any yard.

Exhibit E

1155.05

(e) **CH-1, CC-2, CI-1, M-1, M-2, RDP, and DMC district requirements.**

(1) **Permitted signs.**

- A. Signage for residential uses shall comply with the requirements for residential uses in the RM-20 district above.
- B. Fascia signs.
- C. Only one of the following types of signs:
 - 1. Monument sign.
 - 2. Free-standing sign.
- D. Canopy signs.
- E. Awning signs.
- F. Window signs.

(2) **Provisional signs.**

- A. When two or more uses are located on a lot in two or more buildings, one monument sign shall be permitted for each building. Each monument sign shall not exceed an area of 40 square feet, 20 square feet per sign face (for a double faced sign).
- B. In lieu of A above, when two or more uses are located on a lot, a common monument or free-standing sign shall be permitted. The maximum area of the common sign may be 50 percent larger than the area of the maximum individual sign allowed.
- C. In lieu of A and B above two free-standing or monument signs or one free-standing and one monument sign are permitted provided that frontage along a single lot is not less than 160 feet. The distance between two free-standing signs shall be no less than 150 feet as measured along the frontage of the lot.
- D. Computer controlled variable message electronic sign as regulated by section 1155.03(b)(3), provided the total area shall be deducted from the sign area permitted.
- E. One free-standing sign located within 2,000 feet of Federal Highway 70 or U.S. Route 68 may have a maximum sign area of 300 square feet, 150 square feet per sign face (for a double faced sign), and a height not to exceed 65 feet. This sign shall be in lieu of a free-standing or monument sign otherwise permitted.

(3) **Dimensional requirements.**

- A. Uses in this district shall be allowed a maximum building sign area per sign wall equal to 15 percent of the area of the sign wall on which the sign is to be located.
- B. Individual signage allowances.
 - 1. **Fascia sign.**

Maximum area: 15 percent of the sign wall area.

Maximum height: None.

2. **Canopy sign.**

Maximum area: 12 square feet

Maximum height: Top of first story.

3. **Awning sign.**

Maximum area: 25 percent of the surface of the awning.

Maximum height: Top of first story.

4. **Window sign.**

Maximum area: 25 percent of the area of the window.

Maximum height: None.

5. **Monument sign.**

Maximum area: Two square feet per foot of lot frontage, not to exceed a total of 150 square feet, 75 square feet per sign face (for a double faced sign).

Maximum height: Five feet.

6. **Free-standing sign.**

Maximum area: Two square feet per lineal foot of lot frontage, not to exceed 250 square feet, 125 square feet per sign face (for a double faced sign).

Maximum height: 35 feet above the height of the nearest street grade.